

AN ACT
RELATING TO THE IOWA PRESCRIPTION MONITORING PROGRAM AND
INCLUDING AN EFFECTIVE DATE PROVISION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 124.553, subsection 1, paragraph a, Code 2011, is amended to read as follows:

a. (1) A pharmacist or prescribing practitioner who requests the information and certifies in a form specified by the board that it is for the purpose of providing medical or pharmaceutical care to a patient of the pharmacist or prescribing practitioner. ~~Neither a~~ A pharmacist nor or a prescribing practitioner may delegate program information access to another authorized individual or agent only if that individual or agent registers for program information access, pursuant to board rules, as an agent of the pharmacist or prescribing practitioner. Board rules shall identify the qualifications for a pharmacist's or prescribing practitioner's agent and shall limit the number of agents to whom each pharmacist or prescribing practitioner may delegate program information access.

(2) Notwithstanding subparagraph (1), a prescribing practitioner may delegate program information access to another licensed health care professional ~~only~~ in emergency situations where the patient would be placed in greater jeopardy if the prescribing practitioner was required to access the information personally.

Sec. 2. Section 124.558, subsection 1, Code 2011, is amended to read as follows:

1. *Failure to comply with requirements.* A pharmacist, pharmacy, ~~or~~ prescribing practitioner, or agent of a pharmacist

or prescribing practitioner who knowingly fails to comply with the confidentiality requirements of this division or who delegates program information access to another individual except as provided in section 124.553, is subject to disciplinary action by the appropriate professional licensing board. A pharmacist or pharmacy that knowingly fails to comply with other requirements of this division is subject to disciplinary action by the board. Each licensing board may adopt rules in accordance with chapter 17A to implement the provisions of this section.

Sec. 3. REPEAL. 2009 Iowa Acts, chapter 36, section 3, if enacted, is repealed.

Sec. 4. EFFECTIVE UPON ENACTMENT. The following provision or provisions of this Act, being deemed of immediate importance, take effect upon enactment:

1. Section 3 of this Act repealing 2009 Iowa Acts, chapter 36, section 3.

JOHN P. KIBBIE
President of the Senate

KRAIG PAULSEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 286, Eighty-fourth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2011

TERRY E. BRANSTAD
Governor